



To the Honorable Council
City of Norfolk, Virginia

March 25, 2014

From: George M. Homewood, AICP CFM, Planning Director

Subject: **Zoning Ordinance Text Amendment to modify regulations pertaining to Outdoor Advertising signs**

Reviewed: Ronald H. Williams, Jr., Assistant City Manager *[Signature]* Ward/Superward: Citywide

Approved: *[Signature]* Item Number: PH-4
Marcus D. Jones, City Manager

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of 7 to 0, the Planning Commission recommends **Approval**.
- III. **Request:** Text amendment to modify the *Zoning Ordinance* to allow modifications to existing, conforming Outdoor Advertising Signs.
- IV. **Applicant:** City Planning Commission (upon request by Adam's Outdoor Advertising)
- V. **Description**
 - The amendments would allow Adam's Outdoor Advertising to convert a small number of existing Billboards to a more contemporary style, height, and size.
 - The Enhancing Economic Vitality chapter of *plaNorfolk2030* includes an action calling for modifications to city processes, including zoning requirements, to support business investment.
 - The proposed changes to the *Zoning Ordinance* are consistent with the recommendations of that action.
 - The amendments would allow existing, conforming Billboards to:
 - Convert to LED format
 - Increase the height from the currently permitted 24 feet, as measured from the ground, to 35 feet or 45 feet depending on its orientation to any interstate.
 - If an existing Billboard is smaller than what is currently permitted (maximum of 450 square feet in Commercial districts and 750 square feet in Industrial districts) the size may be increased to the appropriate maximum square footage.
 - Modifications to existing, conforming Billboards would be permitted by-right if oriented to any interstate and would be allowed an increase in height to 45 feet as measured from the interstate roadway.
 - Modifications to existing, conforming Billboards not oriented to any interstate would require a Special Exception which would allow an increase in height to 35 feet as measured from the roadway.
 - New Billboards would be required to meet current development standards and would continue to require a Special Exception.

Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated February 27, 2014 with attachments
- Proponents and Opponents
- Ordinance



City of NORFOLK

To the City Planning Commission
City of Norfolk, Virginia

February 27, 2014

From: Susan Pollock, Principal Planner

1. **Subject:** Amend Chapter 16, "Signs," of the *Zoning Ordinance* in order to modify existing regulations pertaining to Outdoor Advertising Signs

Reviewed: Leonard M. Newcomb, III, CFM
Land Use Services Manager

Ward/Superward: Citywide

Approved:

Item Number:

George M. Homewood, AICP, CFM
Acting Planning Director

- I. **Recommendation:** Staff recommends approval, as the revisions will allow modifications to existing conforming Outdoor Advertising Signs which would support business investment.
- II. **Applicant:** City Planning Commission on behalf of Adams Outdoor Advertising
- III. **Description**
This agenda item proposes to revise the sign regulations to allow existing, conforming Outdoor Advertising Signs (billboards) to convert to digital format and to allow an increase in height of certain signs by Special Exception.
- IV. **Analysis**
Plan Analysis
 - The Enhancing Economic Vitality chapter of *plaNorfolk2030* includes an action calling for modifications to city processes, including zoning requirements, to support business investment.
 - The proposed changes to the *Zoning Ordinance* are consistent with the recommendations of that action.

Zoning Analysis

- Currently Outdoor Advertising Signs are defined as follows:
 - A sign structure providing displays or display space for general advertising and not primarily or necessarily for advertising related to the premises on which erected or to nearby premises. Such signs commonly referred to as "billboards" or "poster panels" are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease.

- The proposed amendment would add the following sentence to the definition:
 - Outdoor advertising signs may contain light emitting diode (LED) electronic displays which comply with state and federal law.
- The amendment proposes to allow the conversion of existing, conforming signs by-right.
- The amendment also proposes to allow an increase in height for certain signs:
 - If adjacent to and facing an interstate highway:
 - 45 feet in height at its highest point
 - Measured from the grade of the interstate highway instead of ground at sign.
 - If adjacent to and facing any other highway or street
 - 35 feet in height at its highest point
 - Measured from the grade of the highway or street instead of ground at sign.
 - Any modification to the height of an Outdoor advertising sign would require a Special Exception.
 - Currently all Outdoor Advertising Signs are limited to 24 feet in height.

Traffic Analysis

N/A

V. Financial Impact

The proposed changes would allow Outdoor Advertising Sign companies to generate additional revenue which would increase the taxes paid to the City.

VI. Environmental

The signs proposed for conversion comply with existing land use criteria which ensure no adverse impact on surrounding properties.

VII. Community Outreach/Notification

Legal notification was placed in *The Virginian-Pilot* on January 9 and 16.

VIII. Coordination/Outreach

This request has been coordinated with the Departments of Planning and Community Development, Public Works and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development

- Proposed Text
- Request for Text Amendment

Proponents and Opponents

Proponents

Stephen Romine
999 Waterside Drive, Suite 2100
Norfolk, VA 23510

Opponents

None

Form and Correctness Approved: *RTP*

Contents Approved: *ap*

By *Adrian M. Smith*
Office of the City Attorney

By *[Signature]*
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

PH-4 AN ORDINANCE TO AMEND SECTIONS 16-3 AND 16-6.15 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO MODIFY REQUIREMENTS FOR BILLBOARDS.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 16-3 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Definition of terms", is hereby amended and reordained so as to modify the definition of "outdoor advertising sign". The definition shall read as forth in "Exhibit A," attached hereto.

Section 2:- That Section 16-6.15 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Outdoor advertising signs", is hereby amended and reordained so as to clarify when an outdoor advertising sign project shall require a special exception, to increase the maximum allowable height of such signs, and to adjust the locations where such signs may be authorized. The portions of the section to be amended and the text of the amended portions shall read as forth in "Exhibit B," attached hereto.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (1 page)

Exhibit B (1 page)

Exhibit A

16-3 Definition of terms.

For the purposes of this Chapter 16, signs and their features and characteristics shall be defined and classified as follows:

...

Outdoor advertising sign. A sign structure providing displays or display space for general advertising and not primarily or necessarily for advertising related to the premises on which erected or to nearby premises. Such signs commonly referred to as "billboards" or "poster panels" are generally designed so that the copy or poster on the sign can be changed frequently and the advertising space is for lease. Outdoor advertising signs may contain light emitting diode (LED) electronic displays which comply with state and federal law. Specific regulations for outdoor advertising signs are found in section 16-6.15.

...

Exhibit B

16-6.15 *Outdoor advertising signs.* The following requirements shall apply to all outdoor advertising signs:

- (a) A special exception must be obtained, pursuant to the special exception procedures of Article V, Chapter 25 prior to undertaking any of the following activities:
 - (1) The installation of a new outdoor advertising sign.
 - (2) The replacement of an outdoor advertising sign on the same parcel. For the purpose of this subsection, none of the following actions shall constitute a replacement of an outdoor advertising sign which is adjacent to and facing I-64, I-264, or I-564:
 - (aa) Changing the technology of the sign face, including a conversion to an LED electronic display.
 - (bb) Increasing the surface area of the sign to the maximum permitted by subsection (c) or (d), below.
 - (cc) Increasing the height of the sign to the maximum permitted by subsection (l), below.
- (b) Outdoor advertising signs may only be located in the C-2, C-3, C-4, I-1, I-2, and I-3 Districts by special exception.
- ...
- (l) No outdoor advertising sign adjacent to and facing an interstate highway shall exceed forty-five (45) feet in height at its highest point, measured from the grade of the interstate highway at the point of its nearest proximity to the sign. No outdoor advertising sign adjacent to and facing any other highway or street shall exceed thirty-five (35) feet in height at its highest point, measured from the grade of the highway or street at the point of its nearest proximity to the sign.



City of Norfolk

REQUEST FOR TEXT AMENDMENT

Date of request: June 27, 2013

DESCRIPTION OF REQUESTED AMENDMENT

Purpose of Amendment: We request a text amendment to the City's sign ordinance to allow select existing outdoor advertising signs

to be converted to digital format. We also request amendment changes to permit relocation of non-conforming existing outdoor advertising signs and

to delete certain (not all) road restrictions which are not in historic areas and are not located in sensitive visibility areas, allowing new outdoor advertising signs.

We added the new state law from the Virginia Code (Section 33.1-1-370.2) which pertains to the repair of non-conforming billboards to bring the City into compliance.

Ordinance Section(s) to be amended (if known)
Ordinance Section(s) to be added (if known)

Chapter 16 - Signs - various sections
16.3, 16-6.15(o)(p), 16-6.23

REQUESTOR INFORMATION

Name of requestor (Last) Adams Outdoor Advertising (First) Christine Early (MI)

Mailing address (Street/P.O. Box) 5547 Virginia Beach Blvd.

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone number (757) 461-1355 Fax number (757) 455-1355

E-mail address cearly@adamsoutdoor.com

SIGNED:

(Applicant signature)

6, 26, 2013
(Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569